

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

UNITED STATES OF AMERICA,	:	
Plaintiff,	:	Case No. 1:98-cr-032;1:04cv595
-vs-	:	District Judge Susan J. Dlott
	:	Chief Magistrate Judge Michael R. Merz
LINDA DUNCAN,	:	
Defendant.	:	

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**ORDER ADOPTING REPORT AND RECOMMENDATIONS**

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The Court has reviewed the Report and Recommendations of United States Magistrate Judge Michael R. Merz (Doc. #160), to whom this case was referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) expired on February 28, 2007, hereby ADOPTS said Report and Recommendations.

Accordingly, Defendant's Motion to Vacate under 28 U.S. C. §2255 (Doc. #137) is dismissed for lack of jurisdiction. The Clerk shall enter judgment accordingly.

March 7, 2007.

S/Susan J. Dlott  
Susan J. Dlott  
United States District Judge